

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33060 of 2017

Arising Out of PS.Case No. -10 Year- 2005 Thana -NIYAMCHANDPUR District- BEGUSARAI

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1. FAZLU MAHTO @ BIPIN MAHTO @ BHAJLU MAHTO, Son of
Uma Kant Mahto, Resident of village- Samsa, P.S.- Naokothi, District-
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2017 Heard the parties.

This application is for grant of regular bail in connection with Sessions Trial No.198 of 2017 arising out of Nimachandpura P.S.case No.10 of 2005 for the offences punishable under Sections 302 & 307/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner, as per F.I.R. is that he along with the other co-accused persons while going on motorcycle and surrounded a Bus, in which the deceased was travelling and they fired on the Bus indiscriminately and further allegation is that they entered inside the Bus and one Ranjit Mahto fired causing death of the deceased instantly and also death of one lady also.



Submission of the learned counsel for the petitioner is that the charge-sheet has been submitted against the another co-accused person and the investigation has been kept pending against this petitioner by the I.O. and now after 12 years, the charge-sheet has been submitted against this petitioner. It is also submitted that there is nothing against the petitioner and he is in custody since 10.09.2016.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, however, as the case is quite old, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial court so desires he may call for lower court records of the other case in which one co-accused has been convicted by the learned court below and the appeal is pending before this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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